

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

* * *

ANTHONY TRACY,

Plaintiff,

v.

PROGRESSIVE INSURANCE
CORPORATION,

Defendant.

Case No. 2:21-cv-00178-KJD-NJK

ORDER

Before the Court for consideration is the Report and Recommendation (#6) of Magistrate Judge Nancy J. Koppe entered February 18, 2021, recommending that Plaintiff's action be dismissed without prejudice for lack of subject matter jurisdiction. The Report also recommends denying Plaintiff's Application to Proceed *IFP* (#1) as moot. Though the time for doing so has passed, Plaintiff has failed to file objections to the report and recommendation.

The Court has conducted a de novo review of the record in this case in accordance with 28 U.S.C. § 636(b)(1) and LR IB 3-2. The magistrate judge correctly determined that Plaintiff's complaint lacks subject matter jurisdiction. Therefore, the complaint is dismissed without prejudice. The application to proceed *in forma pauperis* is moot. Thus, the Court determines that the Report and Recommendation (#6) of the United States Magistrate Judge entered February 18, 2021, should be **ADOPTED and AFFIRMED**.

IT IS THEREFORE ORDERED that the Magistrate Judge's Report and Recommendation (#6) entered February 18, 2021 are **ADOPTED and AFFIRMED**;

IT IS FURTHER ORDERED that Plaintiff's complaint is **DISMISSED without prejudice**;

IT IS FURTHER ORDERED Plaintiff's Application to Proceed *IFP* (#1) is **DENIED as**

1 **moot.**

2 DATED this 11th day of March 2021.

3
4 

5 The Honorable Kent J. Dawson
6 United States District Judge
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28